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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sean Patrick O'Dwyer

Application No.: 10/524,743

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PO Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assignee of the entire right, title, and interest in and to the above-referenced patent application is Metal Storm Limited ("assignee"), a company incorporated under the laws of the Commonwealth of Australia, having a place of business at Level 34, Central Plaza One, 345 Queen Street, Brisbane, Queensland 4000, Australia.

Documentary evidence of a chain of title to the assignee is recorded in the Assignment records of the U.S. Patent and Trademark Office at reel/frame number 016949/0178.

The terminal part of any patent granted on the above-identified application that would extend beyond the expiration of the full statutory term of

United States Patent No. 6,889,935, entitled "Directional Control of Missiles" and filed May 25, 2001, as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the

same as the legal title to United States Patent No. 6,889,935, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns.

No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of United States Patent No. 6,889,935, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: July 6, 2009

/Kevin G. Shao/
Kevin G. Shao
Attorney for Applicant
Reg. No. 45,095
Kevin_Shao@bstz.com

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300

CERTIFICATE OF TRANSMISSION

I hereby certify this document is being submitted via EFS-WEB
on: July 6, 2009.
/Andreas J. Radke/
Andreas J. Radke